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From: "Christopher A. Jones" <caj@princeyeates.com>
To: "Steve Alder" <stevealder@utah.gov>
CC: "Dana Dean" <DANADEAN@utah.gov>
Date: 12/15/2008 5:50 PM
Subject: RE: cw mining permit

Incoming
9/015/0025
Q

Steve,

I will provide you with the requested info asap. We are still digesting all of the information we have received over here in the last few days and will provide you with some ideas on addressing the Division's uncertainty in this matter.

Thanks

Chris

From: Steve Alder [mailto:stevealder@utah.gov]
Sent: Monday, December 15, 2008 10:03 AM
To: Christopher A. Jones
Cc: Dana Dean
Subject: RE: cw mining permit

Chris,

Thanks for the email. We will await your further response - hopefully this week. In the mean time could you provide us with the language or a copy of the Order you rely on to say the transfer is void. My understanding was that it was neither void nor completed but that further actions by all parties and government entities were to be held in abeyance pending further determinations. I am unaware of further determinations on this point, yet the mine is being operated by Hiawatha without approval of the transfer (as all parties know and the court was advised at the hearing on the appointment of a trustee). This is not consistent with our view of the requirements of the regulations. J Boulden did not address the question in her order appointing a chapter 7 trustee, leaving us in the position of considerable uncertainty.

If you could provide your argument or an Order in support of your opinion that the transfer is still to be held in abeyance or is void that would be very important to us. We will also look for your proposal for continuing operation by either the trustee of Hiawatha.

steve

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